

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GS HOLISTIC, LLC,

Plaintiff,

v.

KINGS SMOKE SHOP D/B/A KING'S  
SMOKE SHOP,

Defendant.

Case No. 1:23-cv-00292-TLN-CSK

ORDER VACATING HEARING AND  
ORDER FOR RESPONSE

Presently pending before the Court is Plaintiff GS Holistic, LLC's motion for default judgment against Defendant Kings Smoke Shop d/b/a King's Smoke Shop which was filed on November 19, 2024 and which is set for hearing on February 18, 2025. (ECF Nos. 42, 44.) Under Local Rule 230(c), Defendants were required to file an opposition or statement of non-opposition to the motion no later than fourteen (14) days after the filing date of the motion, on or by December 3, 2024. Although that deadline has passed, no opposition or statement of non-opposition was filed.

Out of an abundance of caution, and in light of the Court's desire to resolve the action on the merits, the Court will provide Defendant one additional, final opportunity to oppose the motion.

Accordingly, IT IS HEREBY ORDERED that:

1. The February 18, 2025 hearing on Plaintiff's motion for default judgment is

VACATED;

2. Any opposition or statement of non-opposition by Defendant shall be filed no later than January 6, 2025, and the reply brief from Plaintiff, if any, is due by January 20, 2025;
3. Defendant is cautioned that failure to respond to the motion in compliance with this order will be deemed as consent to a summary grant of the motion, and may result in the imposition of a default judgment against it;
4. Plaintiff shall promptly serve a copy of this order on Defendant at the last-known address, and file a proof of service with the Court; and
5. After the time period for briefing is complete, the Court will take this matter under submission on the papers without oral argument, pursuant to Local Rule 230(g). The Court will reschedule a hearing at a future date, if necessary.

Dated: December 17, 2024

  
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CHI SOO KIM  
UNITED STATES MAGISTRATE JUDGE

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